

Effective 5/13/2014

Superseded 5/10/2016

26-52-202 Autism Treatment Account Advisory Committee -- Membership -- Time limit.

- (1)
 - (a) There is created an Autism Treatment Account Advisory Committee consisting of six members appointed by the governor to two-year terms of office as follows:
 - (i) one individual holding a doctorate degree who has experience in treating persons with an autism spectrum disorder;
 - (ii) one board certified behavior analyst;
 - (iii) one physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, who has completed a residency program in pediatrics;
 - (iv) one employee of the Department of Health; and
 - (v) two individuals who are familiar with autism spectrum disorders and their effects, diagnosis, treatment, rehabilitation, and support needs, including:
 - (A) family members of a person with an autism spectrum disorder;
 - (B) representatives of an association which advocates for persons with an autism spectrum disorder; and
 - (C) specialists or professionals who work with persons with autism spectrum disorders.
 - (b) Notwithstanding the requirements of Subsection (1)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of committee members are staggered so that approximately half of the committee is appointed every year.
 - (c) If a vacancy occurs in the committee membership for any reason, the governor may appoint a replacement for the unexpired term.
- (2) The department shall provide staff support to the committee.
- (3)
 - (a) The committee shall elect a chair from the membership on an annual basis.
 - (b) A majority of the committee constitutes a quorum at any meeting, and, if a quorum exists, the action of the majority of members present shall be the action of the committee.
 - (c) The executive director may remove a committee member:
 - (i) if the member is unable or unwilling to carry out the member's assigned responsibilities; or
 - (ii) for good cause.
- (4) The committee shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules governing the committee's activities that comply with the requirements of this title, including rules that:
 - (a) establish criteria and procedures for selecting qualified children to participate in the program;
 - (b) establish the services, providers, and treatments to include in the program, and the qualifications, criteria, and procedures for evaluating the providers and treatments; and
 - (c) address and avoid conflicts of interest that may arise in relation to the committee and its duties.
- (5) As part of its duties under Subsection 26-52-201(5), the committee shall, at minimum:
 - (a) offer applied behavior analysis provided by or supervised by a board certified behavior analyst or a licensed psychologist with equivalent university training and supervised experience;
 - (b) collaborate with existing telehealth networks to reach children in rural and under-served areas of the state; and
 - (c) engage family members in the treatment process.

- (6) The committee shall meet as necessary to carry out its duties and shall meet upon a call of the committee chair or a call of a majority of the committee members.
- (7) The committee shall comply with the procedures and requirements of:
 - (a) Title 52, Chapter 4, Open and Public Meetings Act; and
 - (b) Title 63G, Chapter 2, Government Records Access and Management Act.
- (8) Committee members may not receive compensation or per diem allowance for their services.
- (9) Not later than November 30 of each year, the committee shall provide a written report summarizing the activities of the committee to:
 - (a) the executive director of the department;
 - (b) the Legislature's Health and Human Services Interim Committee; and
 - (c) the Legislature's Social Services Appropriations Subcommittee.
- (10) The report under Subsection (9) shall include:
 - (a) the number of children diagnosed with autism spectrum disorder who are receiving services under this chapter;
 - (b) the types of services provided to qualified children under this chapter; and
 - (c) results of any evaluations on the effectiveness of treatments and services provided under this chapter.